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licenses issued by the FERC, subject to stipulation that the operation and maintenance of the dams shall be subject to reasonable rules and regulations of the Secretary of the Army in the interest of flood control and navigation. Ordinarily no Federal funds are involved, thus Section 7 of the 1944 Flood Control Act does not apply. However, if issuance of regulations by the Secretary of the Army is required by the authority under which flood control or navigation provisions are included as functions of the specific project or otherwise specified in the FERC license, regulation plans will be prescribed in accordance with 33 CFR 208.11 regulations.

7. Projects constructed by the Corps of Engineers for local flood protection purposes are subject to conditions of local cooperation as provided in Section 3 of the Flood Control Act approved 22 June 1936, as amended. One of those conditions is that a responsible local agency will maintain and operate all works after completion in accordance with regulations prescribed by the Secretary of the Army. Most such projects consist mainly of levees and flood walls with appurtenant drainage structures. Regulations for operation and maintenance of these projects has been prescribed by the Secretary of the Army in 33 CFR 208.10. When a reservoir is included in such a project, it may be appropriate to apply 33 CFR 208.10 in establishing regulations for operation, without requiring their publication in the *FEDERAL REGISTER*. For example, if the reservoir controls a small drainage area, has an uncontrolled flood control outlet with automatic operation or contains less than 12,500 acre-feet of flood control or navigation storage, 33 CFR 208.10 may be suitable. However, 33 CFR 208.11 regulations normally would be applicable in prescribing flood control regulations for the individual reservoir, if the project has a gated flood control outlet by which the local agency can regulate floods.

8. Regulation plans for projects owned by the Corps of Engineers are not prescribed in accordance with 33 CFR 208.11. However, regulation plans for projects constructed by the Corps of Engineers and turned over to other agencies or local interests for operation may be prescribed in accordance with 33 CFR 208.11.

9. The Small Reclamation Projects Act of 6 August 1956 provides that the Secretary of the Interior may make loans or grants to local agencies for the construction of reclamation projects. Section 5 of the Act provides in part that the contract covering any such grant shall set forth that operation be in accordance with regulations prescribed by the head of the Federal department or agency primarily concerned. Normally, 33 CFR 208.11 is not applicable to these projects.

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APPENDIX C TO § 222.5—PROCEDURES FOR DEVELOPING AND PROCESSING REGULATIONS FOR NON-CORPS PROJECTS IN CONFORMANCE WITH 33 CFR 208.11

1. *Sequence of actions.* a. Discussions leading to a clarification of conditions governing allocations of storage capacity to flood control or navigation purposes and project regulation are initiated by District/Division Engineers through contacts with owners and/or operating agencies concerned at regional level.

b. Background information on the project and conditions requiring flood control or navigation services, and other relevant factors, are assembled by the District Engineer and incorporated in a "Preliminary Information Report". The Preliminary Information Report will be submitted to the Division Engineer for review and approval. Normally, the agency having jurisdiction over the particular project is expected to furnish information on project features, the basis for storage allocations and any other available data pertinent to the studies. The Corps of Engineers supplements this information as required.

c. Studies required to develop reservoir regulation schedules and plans usually will be conducted by Corps of Engineers personnel at District level, except where the project regulation affects flows in more than one district, in which case the studies will be conducted by or under supervision of Division personnel. Assistance as may be available from the project operating agency or others concerned will be solicited.

d. When necessary agreements are reached at district level, and regulations developed in accordance with 33 CFR 208.11 and EM 1110-2-3600, they will be submitted to the Division Commander for review and approval, with information copies for DAEN-CWE-HW. Usually the regulations include diagrams of operating parameters.

e. For projects owned by the Bureau of Reclamation, the respective Regional Directors are designated as duly authorized representatives of the Commissioner of Reclamation. By letter of 20 October 1976, the Commissioner delegated responsibilities to the Regional Directors as follows: "Regarding the designated authorization of representatives of the Commissioner of Reclamation in matters relating to the development and processing of Section 7 flood control regulations, we are designating each Regional Director as our duly authorized representative to sign all letters of understanding, water control agreements, water control diagrams, water control release schedules and other documents which may become part of the prescribed regulations.

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The Regional Director also will be responsible for obtaining the signature of the designated operating agency on these documents where such is required. Regarding internal coordination within the Bureau of Reclamation, the Regional Directors will obtain the review and approval of this office and at appropriate offices with our Engineering and Research Center, Denver, Colorado, prior to signing water control documents."

f. In accordance with the delegation cited in paragraph e, 33 CFR 208.11 regulations pertaining to Bureau of Reclamation projects will be processed as follows:

(1) After regulation documents submitted by District Commanders are reviewed and approved by the Division Commander they are transmitted to the respective Regional Director of the Bureau of Reclamation for concurrence of comment, with a request that tracings of regulation diagrams be signed and returned to the Division Commander.

(2) If any questions arise at this stage appropriate actions are taken to resolve differences. Otherwise, the duplicate tracings of the regulation diagram are signed by the Division Commander and transmitted to the office of the project owner for filing.

(3) After full agreement has been reached in steps (1) and (2), the text of proposed regulations is prepared in final form. Copies of any diagrams involved are included for information only.

(4) A letter announcing completion of action on processing the regulations, with pertinent project data as specified in paragraph 208.11(d)(11) of 33 CFR 208.11, and one copy of the signed tracings of diagrams are forwarded to HQDA (DAEN-CWE-HW) WASH DC 20314 for promulgation and filing. The office

of the Chief of Engineers will forward the pertinent project data to the Liaison Officer with the Federal Register, requesting publication in the FEDERAL REGISTER.

g. Regulations developed in accordance with 33 CFR 208.11 and applicable to projects that are not under supervision of the Bureau of Reclamation are processed in substantially the manner described above. All coordination required between the Corps of Engineers and the operating agency will be accomplished at field level.

h. Upon completion of actions listed above, Division Commanders are responsible for informing the operating agencies at field level that regulations have been promulgated.

2. *Signature blocks:* Some 33 CFR 208.11 regulations contain diagrams of parameter curves that cannot be published in the FEDERAL REGISTER, but are made a part thereof by appropriate reference. Each diagram bears a title block with spaces for the signature of authenticating officials of the Corps of Engineers and the owner/operating agency of the project involved.

3. *Designation of Corps of Engineers Representatives.* Division Commanders are designated representatives of the Chief of Engineers in matters relating to development and processing of 33 CFR 208.11 regulations for eventual promulgation through publication of selected data specified in paragraph (d)(11) §208.11. Division Commanders are designated as the Corps of Engineers signee on all letters of understanding, water control agreements and other documents which may become part of prescribed regulations for projects located in their respective geographic areas, and which are subject to the provisions of 33 CFR 208.11.

APPENDIX D to § 222.5—SAMPLE TABULATION

Bardwell Lake, Monthly Lake Report, May 1975

Day	Elevations 0800: 2,400 feet-MSL	Storage 2400 A-F	Evap DSF	Pump DSF	Release DSF	Inflow adj. DSF	Rain, inch
1	421.30 421.31	55979	28	2.0	0	84	0.00
2	421.32 421.37	56196	5	2.0	0	117	.00
3	421.43 421.44	56449	23	1.9	0	152	.14
4	421.45 421.47	56558	1	1.8	0	58	.00
5	421.49 421.34	56088	1	2.0	324	50	.00
6	421.20 421.01	54902	14	1.9	632	50	.00
7	420.88 420.89	54473	4	2.0	269	59	.09
8	420.89 420.91	54544	5	2.3	0	44	.00
9	420.90 420.89	54473	11	1.5	0	38	.00
10	420.90 420.90	54509	28	3.0	0	27	.00
11	420.91 421.35	56124	26	1.8	0	824	.00
12	421.54 421.65	57213	31	2.1	0	582	1.61
13	421.70 421.75	57578	29	2.2	0	216	.00
14	421.78 421.76	57614	34	1.9	249	303	.03
15	421.69 421.52	56739	22	1.9	643	225	.57
16	421.39 421.28	55871	39	2.1	535	138	.00
17	421.19 421.09	55188	10	2.2	393	119	.00
18	421.03 421.05	55045	46	2.0	143	60	.00
19	421.04 421.07	55116	17	2.3	0	55	.00
20	421.06 421.30	55943	21	2.1	0	440	.21
21	421.39 421.47	56558	20	2.1	0	332	.97
22	421.50 421.39	56268	42	2.1	247	145	.00
23	421.37 424.91	69726	31	2.0	328	7146	.22